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BEFORE THE

ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
APPLE CANYON UTILITY COMPANY)
) No. 10-0215
Petition for issuance of)
Permanent and Temporary)
Certificates of Public)
Convenience and Necessity)
to provide water service)
to a parcel in unincorporated)
Jo-Daviess County, Illinois,)
pursuant to Section 8-406)
of the Illinois Public)
Utilities Act and for)
approval of a related contract)

Chicago, Illinois

April 14, 2010

Met, pursuant to notice, at

11 o'clock a.m.

BEFORE :

MR. ETHAN KIMBREL,
Administrative Law Judge

APPEARANCES :

HOWARD & HOWARD, PLLC, by
MR. W. MICHAEL SEIDEL
200 South Michigan Avenue,
Suite 1100
Chicago, Illinois
appearing for Apple
Canyon Utility Company

1 APPEARANCES (continued):
2 MS. MEGAN McNEILL and
3 MS. JESSICA CARDONI
4 160 North La Salle Street, C-800
5 Chicago, Illinois 60601
6 appearing for staff
7 of the Illinois Commerce
8 Commission

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1 JUDGE KIMBREL: Pursuant to the authority of
2 the Illinois Commerce Commission, I now call No.
3 10-0215, Apple Canyon Utility Company. This is a
4 petition for issuance of Permanent and Temporary
5 Certificates of Public Convenience and Necessity to
6 provide water service to a parcel in unincorporated
7 Jo-Daviess, County, Illinois, pursuant to Section
8 8-406 of the Illinois Public Utilities Act and for
9 approval of a related contract.

10 Would the parties please identify
11 themselves for the record.

12 MR. SEIDEL: W. Michael Seidel for the law firm
13 of Howard & Howard, Attorneys, PLLC, 200 South
14 Michigan Avenue, Suite 1100, Chicago, Illinois,
15 60604, appearing on behalf of the applicant, Apple
16 Canyon Utility Company.

17 MS. CARDONI: Appearing on behalf of staff
18 witnesses for the Illinois Commerce Commission,
19 Jessica Cardoni and Megan McNeill, 160 North
20 La Salle, Suite C-800, Chicago, Illinois, 60601.

21 JUDGE KIMBREL: We had a brief conversation off
22 the record. Would one of you like to let us know

1 what's going on in this matter?

2 MR. SEIDEL: Shall I? Correct me if I miss a
3 date here.

4 MS. CARDONI: Sure.

5 MR. SEIDEL: We are proposing to file prepared
6 direct testimony on or before April 28th and staff
7 will review that testimony and make a recommendation
8 to our request for a temporary certificate.

9 The goal is to provide a draft order to
10 the Administrative Law Judge prior to the May 19th
11 deadline for the May 25th meeting at the Illinois
12 Commerce Commission, and we have agreed to have a
13 status hearing on May 13th at 11 o'clock a.m.

14 JUDGE KIMBREL: Staff, do you have anything to
15 add to that?

16 MS. CARDONI: Staff agrees with those dates and
17 would also point out that in light of the tightened
18 time frame and the fact that temporary discovery
19 requests be answered with best efforts by the
20 company.

21 MR. SEIDEL: We will definitely try to do that.

22 JUDGE KIMBREL: Okay. Does anyone else have

1 anything else to add?

2 MR. SEIDEL: Not at this time.

3 MS. CARDONI: Nothing from staff.

4 JUDGE KIMBREL: That's the case, this matter will
5 be continued to May 13th at 11 a.m.

6 MS. CARDONI: Thank you.

7 MR. SEIDEL: Thank you.

8 JUDGE KIMBREL: Thank you.

9 (Whereupon, the above matter
10 was adjourned, to be continued
11 to May 13, 2010 at 11 o'clock
12 a.m.)

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